IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 949 OF 2004

IN

APPEAL NO. 27-A OF 2003

IN

ARBITRATION APPLICATION NO. 643 OF 2001

M/s. Opulent Broking
Pvt. Limited .. Petitioners.

vs.

Mrs. Chandrika A. Dholakia .. Respondent.

And

Mr. Ashok Panachand Dholakia .. Applicant.

Miss U.K. Sahani i/by A. Khandhar & Co.
for applicant.

CORAM : S.U. KAMDAR, J.

DATE : 23RD DECEMBER, 2004

P.C.

1. By an order dated 9.7.2004 this Court directed the applicant to submit the fixed deposit receipts to the tune of Rs. 7,15,000/- as security for the award decree which was passed against her.

The learned counsel appearing for the applicant states that the award decree itself is set aside by order dated 27.7.2004 by His Lordship Mr. Justice D.K. Deshmukh, J. in Arbitration Petition No. 209 of 2004 with Arbitration Petition No. 210 of 2004. In view of the setting aside of the award decree itself, the question of continuing the security in execution proceeding does not survive. In view thereof, the office of the Prothonotary and Senior Master, High Court, Bombay, is directed to return the fix deposit receipts which have been deposited by the applicant pursuant to the order dated 9.7.2004 passed by Dharmadhikari, J. Chamber Summons disposed off accordingly with no order as to costs.